



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813

MINUTES

AGRICULTURAL DEVELOPMENT TASK FORCE MEETING

MONDAY, SEPTEMBER 8, 2008

The Agricultural Development Task Force held a meeting on Monday, September 8, 2008, at 1:06 p.m. in the Council Committee Meeting Room, 2nd Floor, Room 205, Honolulu Hale, Honolulu, Hawaii 96813.

MEMBERS PRESENT: Yuki Kitagawa (Chair)
Dean Okimoto (Vice Chair)
Charley Ice
Richard McCormack
Jimmy Nakatani

MEMBERS EXCUSED: Kapu Smith
Cal Lum

ADMINISTRATION/OTHERS PRESENT:

Ikaika Anderson	(Council Chair Marshall's Office)
Robert Sumitomo	[Department of Planning & Permitting (DPP)]
Robert Bannister	DPP
Kathy Sokugawa	DPP
Brian Cordero	Landscaper, Laukani Farms
Fred Mencher	East Oahu County Farm Bureau
Shannon Alivado	Land Use Research Foundation

AGENDA ITEMS

APPROVAL OF MINUTES

The minutes of the August 13, 2008 meeting were approved as circulated.

ITEM 2 SUBDIVISION OF AGRICULTURAL LANDS

Chair Kitagawa noted the issue of AG subdivisions was placed on the agenda in order to develop and craft recommendations to forward to the Council.

Mr. Cordero of Laukami Farms commented and made suggestions:

1. Gentlemen farmers are circumventing the system: a) with minimal agriculture on the lots with banana trees and horses, b) by creating multiple Limited Liability Corporations (LLCs) which give the appearance of a profitable business and, c) by having no agricultural plan.
2. One- and two-acre AG lots are appealing to out-of-state investors who view these lots as residential rather than as a means for an agricultural livelihood. Categorizing AG lands as vacant is confusing because it gives the impression that these lots are residential.
3. Set base income limits of \$20,000 or \$25,000 with a two- to three-year startup period.
4. Require audits to review tax returns to verify that farming is being done.
5. Add a clause to protect farmers from unforeseen adversity.

Mr. Cordero stated that the \$20,000 or \$25,000 income limit was suggested because it entails more investment and effort and would hopefully discourage gentlemen farmers from working around the system. He continued by stating that limiting the size of the dwelling units to 1,200 square feet and limiting the total landscape area of the home to 5,000 square feet would be unappealing to gentlemen farmers.

Mr. Fred Mencher of East County Farm Bureau suggested that there be a moratorium on the approval of new AG subdivisions that do not support farmers until rules and regulations are established and enforcement can be carried out. Member Okimoto disagreed with the suggestion of a moratorium as it might impede ongoing agricultural projects.

Mr. Sumitomo and Mr. Bannister of the Department of Planning and Permitting highlighted the following:

1. The Zoning Code states that only a farm dwelling which supports farming activity is permitted in AG district. It does not permit single-family dwellings as in a Residential district.
2. Remodeling projects without the proper building permits is an ongoing problem.
3. A maximum of two dwelling units are permitted on a single AG lot. A variance is required if more units are needed.
4. All structures need to be within a 5,000 sq. ft. farm dwelling area are measured as a polygon.
5. Reducing the farm dwelling area of 5,000 sq. ft. can be done through a Land Use Ordinance (LUO) amendment.
6. Establishing income derived from the uses on an AG property, limiting the lot size and the size of the farm dwelling should be dealt with through the LUO
7. Limiting the size of lots that would be enforced through the Subdivision Rules would also need to be in the Zoning Code.
8. Any changes in the rules are made in the Revised Ordinances of Honolulu under the LUO in Chapter 21 and the Subdivision Rules in Chapter 22.
 - The Zoning Code in the LUO controls the uses and enforcement on the property.
 - The Subdivision Rules in Chapter 22 enforce infrastructure requirements and service development for housing development purposes.
9. Noncompliance of the Zoning Code results in an issuance of a violation notice and is enforced through civil fines.

Member Nakatani suggested eliminating AG subdivisions and inquired of Mr. Sumitomo what the affect would be. Mr. Sumitomo noted the following:

1. Agricultural growth and existing individual lots would not be affected.
2. Additional farm dwellings would not be able to be built unless the Zoning Code is changed.
3. Only AG clusters that are not subdivisions would be able to be created.
4. Increasing the minimum lot size would prevent a developer from subdividing into smaller lots and eliminate further AG subdivisions.

The following items were discussed:

1. As part of the LUO, place new rules into the Zoning Code to ensure better enforcement. Some of the suggested rules were:
 - Require that a farm plan be implemented with an allowance of a two to three year startup period before allowing farm dwellings to be built.
 - Limit the size of the dwelling unit.
2. With the elimination of AG subdivisions, only two dwellings will be able to be built on the entire cumulative subdivided lots. For example, on a 100-acre lot parceled out into ten 10-acre lots, only two dwellings will be able to be built on the total 100 acres.
3. Limit only one dwelling unit on the property, not two units.
4. The term agriculture still needs to be defined.
5. Having farmers living on site is ideal, but there are successful farm operations without the owner of the operation living on site.

6. Due to ongoing agricultural theft and vandalism, there needs to be a presence on site.
7. Placing AG subdivisions into IAL would not curtail the current problems of enforcement.

The Task Force offered the following recommendations:

1. Request an opinion from the DPP and other appropriate agencies about the impact of eliminating AG subdivisions.
2. Reduce the amount of dwelling units on AG-1 or AG-2 lots to one dwelling unit.
3. Limit the footprint of the polygon to 4,000 sq. ft
4. Limit the floor space of the dwelling unit to 1,500 sq ft.

Chair Kitagawa will await the opinions on eliminating AG subdivisions before proceeding to craft the bill.

Related communication:

M-1813 Fred Mencher for Grant Hamachi, President, East Oahu County Farm Bureau, recommending that a moratorium be declared on approval of new Ag subdivisions.

ITEM 3 ANNOUNCEMENTS

The next meeting is scheduled for October 6, 2008.

ADJOURNMENT

The meeting was adjourned at 2:40 p.m.